

**BOARD OF SELECTMEN
MINUTES**

DECEMBER 8, 2010

EXECUTIVE SESSION # 3 OF 3

At about 12:52 pm, Mr. Heller called the third Executive Session to order under Exemption six of the Open Meeting Law:

Exception Six - "To consider the purchase, exchange, lease or value of real property, if such discussions may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation."

Purchase of 3, 5, 7 Prouty Street:

The Board reviewed the McKeon heirs' response to the Town's offer to purchase Prouty Street properties. There was agreement that the owners had presented a framework that could lead to a signed purchase and sale agreement. Some changes were noted in their revised proposal: Mr. Heller noted:

- The Board will add "Police Station" to the section wherein they mention only the access road and leach field as the possible uses of the property.
- The property is not "sold as is" anymore, so this phrase should be eliminated;
- Eliminate Sentence #1, Section 2 and the words "nevertheless".
- Page 3: Seek clarification about the following: "Town is liable for all assessment fees, penalties and interest for Phase II & II BEFORE conveyance of the property
- Remove the words "lead paint"
- Restrict the owners' right to lease the property to one year;
- Eliminate the clause allowing the sellers the right to rescind their offer to the Town if they pay the Town back for expenses incurred.
- Sellers want the Town to confirm by counsel that they have the authority to purchase the property.

Mr. Allen suggested the formation of a "Friends of the Town Hall/Prouty Street Acquisition" donation account and will talk with Jim Dunbar about setting up such and account and about restrictions. Such funds might be used to pay the costs of a Phase II/III brownfield assessment.

Mr. Heller will speak with the realtor and ask to set up a meeting between the Board of Selectmen, the heirs, the Board of Health, and representatives from Fuss

& O'Neill and CMRPC. He will also say that the Board appreciates the response from the heirs and feels encouraged.

The Board agreed that if there is agreement in principal about the purchase of the Prouty properties, the Board should then work with a consultant to develop a site plan for the property to show (for example) where the access way and septic system would be placed and the location of any additions to the house so it could serve as a Police Station. Mr. Allen was asked to find out whether citizen donations could pay for these and other costs associated with the acquisition of the property.

At approximately 1:40 pm, Mr. Allen moved at adjourn the Executive Session and move open session with the purpose of adjourning; Mr. O'Connell seconded; so voted with Mr. Allen voting Aye; Mr. O'Connell voting Aye; and Mr. Heller voting Aye.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Date approved by Board: _____

Date Released: December 11, 2012